

NATIONAL BLACK JUSTICE COALITION

2011 Key Federal Policies and Initiatives for the LGBT Community

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NATIONAL BLACK JUSTICE COALITION



National Black Justice Coalition
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September 21, 2011

Friends and Colleagues:

Welcome to the National Black Justice Coalition's 2nd Annual ***OUT on the Hill*: Black LGBT Leadership Summit.** We would like to extend an especially warm welcome to those of you who attended last year's inaugural event. This year promises to be even more exciting! A lot has happened over the past year. For instance, after 17 years of forcing patriotic Americans, many of whom are Black, to choose between serving their country and living their lives as openly gay men and women, "Don't Ask, Don't Tell" was finally repealed. President Obama signed repeal legislation on December 22, 2010, and the new law took effect this week on September 20, 2011.

While this was a tremendous achievement, we still have much more work to do. We deserve legal recognition of our loving relationships and families. We need protections from discrimination and harassment on the job and in our schools. And as Black LGBT people, we know that despite passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, we continue to endure attacks stemming from racial bias, anti-LGBT sentiment or both. Here in our nation's capital, transgender women are murdered at among the highest rates in the country. This is unconscionable. To directly address these and other pressing concerns, we have assembled some of the keenest political minds in the nation.

You will hear from policy experts and social justice advocates as they tackle racism, homophobia and transphobia on a range of issues. We are pleased that for the second year in a row, Black LGBT Leaders Day at the White House will feature an exclusive briefing just for the OUT on the Hill delegation. Delegates will also visit congressional leaders and their staffers on Capitol Hill to urge them to focus on Black LGBT legislative priorities. Enclosed, you will find a series of fact sheets about this year's key federal policies and initiatives as well as a listing of the Congressional Black Caucus members and the LGBT Equality Caucus members in the 112th Congress. This is a week-long opportunity to influence decision makers on issues that will determine our community's future for many years to come. We hope you find the summit to be a rich and fulfilling experience.

Sharon J. Lettman-Hicks
Executive Director/CEO

Stacey R. Long, Esq.
Chair, OOTH Policy Committee

TABLE OF CONTENTS

3 *Congressional Black Caucus Fact Sheet*

4 *Congressional Black Caucus Foundation Fact Sheet*

5 *Annual Legislative Conference Fact Sheet*

6 *Congressional LGBT Equality Caucus Fact Sheet*

7 *Health Care and HIV Awareness/Prevention*

- Expanded and Improved Medicare for All Act
- Increasing Access to Voluntary Screening for HIV/AIDS and STIs Act
- Early Treatment of HIV Act

11 *Harassment and Bullying In Schools*

- Anti-Bullying and Harassment Act
- Bullying Prevention and Intervention Act
- Student Non-Discrimination Act
- Safe Schools Improvement Act
- Tyler Clementi Higher Education Anti-Harassment Act

13 *Housing*

- Housing Non-Discrimination Act
- Housing Opportunities Made Equal Act

16 *Jobs and Workplace Discrimination*

- The American Jobs Act
- Employment Non-Discrimination Act
- Update on Don't Ask Don't Tell Repeal

21 *Human and Civil Rights*

- Update on the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act
- David Ray Hate Crimes Prevention Act
- End Racial Profiling Act
- Honoring the Life of David Kato and All Who Are Victims of Violence In Uganda Because of Their Sexual Orientation or Gender Identity

23 *Relationship and Family Recognition*

- Respect for Marriage Act
- Every Child Deserves a Family Act

26 *Disclaimer*

27 *NBJC Board of Directors and Staff*

CONGRESSIONAL BLACK CAUCUS OF THE 112TH CONGRESS FACT SHEET

About the Caucus: The Congressional Black Caucus formally introduced itself to Congress on March 30, 1971. On this historic date, Congressman Charles Diggs, Jr. (D-MI) presented "The Statement to the President of the United States" by the Congressional Black Caucus. The top policy priorities for the 112th Congress are the **Economy**, **Education** and **Healthcare**.

Leadership

Congressional Member	Phone Number	Office Address
Rep. Emanuel Cleaver, Chairman (D-MO)	202-225-4535	1027 Longworth
Del. Donna Christian Christensen, First Vice Chair (D-VI)	202-225-1790	1510 Longworth
Rep. G.K. Butterfield, Second Vice Chair (D-NC)	202-225-3101	413 Cannon
Rep. Yvette Clarke, Secretary (D-NY)	202-225-6231	1029 Longworth
Rep. André Carson, Whip (D-IN)	202-225-4011	425 Cannon

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*The CBC currently has 41 representatives (two of them non-voting delegates) as members. For a complete list of CBC Members in the 112th Congress please visit: **http://thecongressionalblackcaucus.com/members/directory/**

CONGRESSIONAL BLACK CAUCUS FOUNDATION FACT SHEET

Congressional Black Caucus Foundation

About the Foundation

The Congressional Black Caucus Foundation, Inc. (CBCF) is a nonprofit, nonpartisan public policy, research and educational institute that aims to help improve the socioeconomic circumstances of African Americans and other underserved communities. Founded in 1976 and based in Washington, D.C., CBCF envisions a world in which the black community is free of all disparities and able to contribute fully to advancing the common good. Its mission is to advance the global black community by developing leaders, informing policy and educating the public.

CBCF Vision

We envision a world in which the black community is free of all disparities and able to contribute fully to advancing the common good.

CBCF Mission

Our mission is to advance the global black community by developing leaders, informing policy and educating the public.

CBCF Will Achieve Its Mission By

- Facilitating the exchange of ideas and information to address critical issues affecting our communities.
- Developing strategic research and historical resources for the public.
- Providing leadership development and scholarship opportunities.
- Developing effective programs and research to address social, economic and health disparities.

Leadership

For a complete listing of the CBCF Board of Directors and Advisory Council please visit:
http://www.cbcfinc.org/boardofdirectors.html • ***http://www.cbcfinc.org/advisorycouncils.html***

Staff Contact

To contact the CBCF Staff please visit: ***http://www.cbcfinc.org/contact-us-form.html***

The CBCF is located at: 1720 Massachusetts Avenue, NW Washington, DC 20036;
Phone: 202-263-2800; Fax: 202-775-0773

ALC 2011 FACT SHEET

ALC
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2011

About ALC

Each year, CBCF undertakes significant public health, economic empowerment and scholarship programs that benefit thousands of people across the country. Its stellar fellowship and internship programs are among the largest of their kind and, while enabling young African Americans to pursue careers in public policy and public service, have helped to diversify the ranks of officeholders and staff on Capitol Hill and through the federal and state governments.

CBCF's influence extends to African-American intellectuals and others focused on policy and legislative issues. Each September, thousands of elected officials and industry leaders, celebrities, media, emerging leaders and everyday Americans come to Washington, D.C., for the organization's Annual Legislative Conference (ALC).

The conference features participation by the Congressional Black Caucus and includes dozens of policy forums, general sessions, exhibits, a job fair, book signings and vast networking opportunities. In addition, CBCF produces district-level forums throughout the country to explore public policy concerns, promote public health and financial empowerment and to solicit opinions and recommendations of citizens at the local community level.

For More Information please visit: ***http://www.cbcfinc.org/alc-2011.html***

CONGRESSIONAL LGBT EQUALITY CAUCUS FACT SHEET

About the Caucus:

Co-Chairs Tammy Baldwin (D-WI) and Barney Frank (D-MA), along with Members of Congress who are strongly committed to achieving the full enjoyment of human rights for LGBT people in the U.S. and around the world, established the Congressional LGBT Equality Caucus in the U.S. House of Representatives in June 2008.

Leadership & Staff Contacts

Congressional Member	Staff Contact	Phone Number	Email Address	Office Address
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Rep. Jared Polis (D-CO)	Brian Branton	202-225-2161	Brian.branton@mail.house.gov	501 Cannon
Rep. David Cicilline (D-RI)	Jessica Lemos	202-225-4911	Jessica.Lemos@mail.house.gov	128 Cannon

The LGBT Equality Caucus currently has 96 members. For a complete list of LGBT Equality Caucus Members in the 112th Congress please visit: *http://lgbt.tammybaldwin.house.gov/membership.shtml

HEALTH CARE AND HIV AWARENESS/PREVENTION

According to a report commissioned by the Center for American Progress and the National Coalition for LGBT Health, it was Dr. Martin Luther King Jr. who reminded us, of all forms of inequality, injustice in health care is the most shocking and inhumane[1]. The U.S. health care system is in desperate need of transformation as health care is currently unaffordable and inaccessible for millions of Americans, including countless Black LGBT Americans.

All people deserve health care that effectively addresses all aspects of their needs, including prevention, treatment, and wellness services. For Black lesbian, gay, bisexual, and transgender (LGBT) people, however, access to vital health care services often does not exist. Moreover, factors like low rates of health insurance coverage, high rates of anti-LGBT violence, the stress of coping with systemic discrimination around racism, sexual orientation, gender identity and expression, and a lack of cultural competency in the health care system mean that Black LGBT people suffer from significant health disparities.

In a system that does not support alternative family structures and nontraditional caregivers, these challenges increase exponentially for LGBT youth, the children of LGBT parents, and older LGBT adults.

If the President signed the Affordable Care Act into Law, Why Do We Still Need Health Care Legislation?

As implementation of this historic act moves forward, the systems that are set up and regulations that are developed must be designed with certain key principles in mind:

- **Access to Care** - Guaranteeing health care coverage for everyone in America is a particularly important step in eliminating LGBT health disparities. Few employers extend coverage to their employees' same-sex partners. The lack of employment protections, based on sexual orientation and gender identity, result in a high rate of unemployment in the transgender community and among people of diverse sexual orientations, who often face discrimination on the basis of nonstandard gender identity or expression even if they do not identify as transgender. LGBT individuals and their families must be able to access the full range of services they require over their lifespan, delivered by providers who are sensitive to their needs.
- **Culturally Competent Providers** - Health care providers must fully understand and embrace cultural competency, and there must be systematic efforts to eradicate provider bias against LGBT people. Too often, LGBT people are misunderstood, mistreated or openly discriminated against by health care providers who are not familiar with or sympathetic to their needs.

[1] Kellan Baker & Jeff Krehely, Ctr. for Am. Progress, Nat'l Coal. for LGBT Health, Changing the Game: What Health Care Reform Means for Gay, Lesbian, Bisexual, and Transgender Americans 1 (2011), available at http://www.americanprogress.org/issues/2011/03/pdf/aca_lgbt.pdf.

HEALTH CARE AND HIV AWARENESS/PREVENTION

- **Family Definitions** - Statutory, regulatory, and program definitions must be written to remove barriers that prevent LGBT individuals from accessing health care. In particular, the terms "family," "parent," and "spouse" are commonly interpreted to exclude LGBT families on the basis of a lack of access to the rights and benefits of legal marriage. Policies must also address the welfare of LGBT youth, seniors, and dependent adults in matters such as their need to be placed in families or long-term care settings that support their LGBT identities and health care needs.

- **Data Collection** - Though research indicates that LGBT people face significant health disparities, most health data collection tools do not collect information on sexual orientation and gender identity. This omission hampers efforts to track and redress not only LGBT disparities, but also other health disparities, such as those affecting racial and ethnic minorities.

- **HIV/AIDS** - Gay and bisexual men and transgender people—especially people of color, transgender women, and youth—are at particular risk for HIV/AIDS. Recently, the Centers for Disease Control and Prevention (CDC) released its estimates of HIV incidence in the United States for the years 2006-2009. These estimates markedly showed there was an estimated 21% increase in HIV incidence for people aged 13-29 years, driven by a 34% increase in young men who have sex with men (MSM)--the only group to experience a significant increase in incidence in this age range. Among MSM aged 13-29, HIV incidence among Black/African American MSM increased significantly (48%) from 2006 through 2009 with a 12.2% estimated annual percentage increase. HIV/AIDS prevention and treatment should be integrated with programs targeting other Sexually Transmitted Infections (STIs) as well as for the most common co-morbidities affecting older adults, such as diabetes and heart disease.

HEALTH CARE AND HIV AWARENESS/PREVENTION

PROPOSED HEALTH CARE AND HIV-RELATED LEGISLATION

The Expanded and Improved Medicare for All Act, which was introduced by Rep. John Conyers (D-MI) would provide for comprehensive health insurance coverage and improved health care delivery for all U.S. residents. The bill intends to reduce health disparities and provide high quality, cost-effective, culturally appropriate care to all individuals, regardless of sexual orientation.

Why Is It Important to the Black LGBT Community?

- Establishes publicly financed, privately delivered health care systems
- Improves and expands already existing Medicare program to all U.S. residents and all residents living in U.S. territories
- Ensures that all Americans have access, guaranteed by law, to the highest quality and most cost effective health care services regardless of employment, income, or health care status.

What is the Current Status of the Bill?

- It was introduced in the 112th Congress by Rep. John Conyers (D-MI) on February 14, 2011.
- Ensures that all Americans have access, guaranteed by law, to the highest quality and most cost effective health care services regardless of employment, income, or health care status.

The Increasing Access to Voluntary Screening for HIV/AIDS and STIs Act of 2011 which was introduced by Rep. Alcee Hastings (D-FL) would increase access to HIV/AIDS screening under Medicare, Medicaid, and group health plans for low-income and vulnerable communities, regardless of sexual behavior, sexual orientation, or gender identity. It calls for the Director of the CDC to increase data collection and education in historically underrepresented populations, including men who have sex with men, women who have sex with women, and transgender people.

Why Is It Important to the Black LGBT Community?

- Requires Medicaid to cover voluntary screening for HIV/AIDS and other STI's as a mandatory service for all individuals 13 and older
- Requires the Centers for Medicare and Medicaid Services (CMS) to provide Medicare reimbursements for such tests for all beneficiaries 13 and older
- Provides states with support needed to cover low-income individuals infected with HIV until Medicaid is expanded in 2014 under the Patient Protection and Affordable Care Act

What is the Current Status of the Bill?

This legislation was introduced in the 112th Congress by Rep. Alcee Hastings (D-FL) on May 5, 2011.

HEALTH CARE AND HIV AWARENESS/PREVENTION

The Early Treatment for HIV Act (ETHA) was introduced in the 111th Congress by Reps. Eliot Engel (D-NY), Nancy Pelosi (D-CA) and Ileana Ros-Lehtinen (R-FL) in the House and by Sens. Chuck Schumer (D-NY) and Olympia Snowe (R-ME) in the Senate. A three-year ETHA program was a part of the House passed health reform bill; however, it was not included in the final reform legislation. ETHA is expected to be reintroduced during the 112th Congress.

ETHA would permit state Medicaid programs to cover low-income, HIV-positive Americans before they develop AIDS. The act would provide states with the option of covering low-income HIV-infected individuals as "categorically needy."

Why Is It Important to the Black LGBT Community?

- Early coverage will improve quality of life for countless HIV-positive Black LGBT Americans and slow infection rates. ETHA could help thousands of HIV-positive Black LGBT Americans gain early access to treatment to help them live longer, happier and more productive lives.[2]
- Since HIV-positive individuals do not qualify for Medicaid, many lack the ability to receive medical care and medicine to help slow the progression of the HIV and to prevent the onset of opportunistic infections.
- Childless adults living with HIV generally only qualify for Medicaid coverage once they become eligible for Supplemental Security Income. Because an individual is not eligible for SSI until he or she becomes disabled, a person with asymptomatic HIV infection is not eligible for Medicaid until he or she has progressed to full-blown AIDS.
- As a result of these earlier interventions and the related savings, the AIDS Drug Assistance Program (ADAP) may be able to provide care to more Black LGBT Americans with HIV.

Early Coverage Will Improve Quality of Life of HIV-positive Black LGBT Americans and Slow Infection Rates

- Treating those who are HIV-positive early in the progression of the disease provides numerous benefits.
- Providing therapy earlier keeps individual viral loads suppressed and delays the immune system weakening that permits opportunistic infections.
- New HIV infections will decrease because of the lower viral loads.
- The AIDS Drug Assistance Program will be able to provide care to more Black LGBT Americans with HIV because of related savings.
- The quality of life for countless HIV-positive individuals will be improved.
- ETHA could help thousands of HIV-positive Black LGBT Americans gain early access to treatment to help them live longer, happier and more productive lives.

What is the Current Status of the Bill?

ETHA was introduced in the 111th Congress by Reps. Eliot Engel (D-NY), Nancy Pelosi (D-CA) and Ileana Ros-Lehtinen (R-FL) in the House and by Sens. Chuck Schumer (D-NY) and Olympia Snowe (R-ME) in the Senate. A three-year ETHA program was a part of the House passed health reform bill however, it was not included in the final reform legislation. ETHA is expected to be reintroduced during the 112th Congress.

[2] For additional resources, see generally National Coalition for LGBT Health, http://www.lgbthealth.webolutionary.com (last visited Sept. 9, 2011).

HARASSMENT AND BULLYING IN SCHOOLS

Every student has a right to an equal and safe education. All schools should provide spaces for learning and dialogue, but they often become unsafe places where students are subjected to severe harassment and bullying. These experiences can cause both immediate harm to students as well as lasting damage. According to Russlyn Ali, the Assistant Secretary for Civil Rights of the U.S. Department of Education, in-school victimization "fosters a climate of fear and disrespect that can seriously impair the physical and psychological health of its victims and create conditions that negatively affect learning, thereby undermining the ability of students to achieve their full potential." [3]

Why We Need Federal Protections for LGBT Students

Schools can be dangerous places for Black lesbian, gay, bisexual, and transgender (LGBT) students, justifying the need for clear federal protections from harassment and bullying. Acts of bullying and harassment can no longer be seen as "kids being kids." In its National School Climate Survey of LGBT students, the Gay, Lesbian and Straight Education Network (GLSEN) reported on the harassment and bullying that many LGBT students regularly endure at school.[4]

LGBT students, like all other students, deserve a healthy school environment.

- Discrimination and harassment are harsh realities that LGBT students face regularly. Nearly 85% of students reported that they had been verbally harassed at school in the past year because of their sexual orientation, and nearly 64% of students had been verbally harassed because of their gender expression.

Black LGBT youth are especially at risk.

- Black LGBT students face high rates of physical harassment: four in ten said they had been physically harassed at school in the last year because of their sexual orientation, and more than one quarter said they had been physically harassed because of their gender expression.
- Students cannot learn when they are shamed, intimidated, or in fear of their physical safety. Studies have shown that bullying and harassment of Black LGBT youth in schools contributes to high rates of absenteeism, dropout, adverse health consequences and academic underachievement. When left unchecked, such bullying and harassment can, and has led to, dangerous situations for young people.

[3] Letter from Russlynn Ali, Assistant Sec'y for Civil Rights, U.S. Dep't of Educ. to school administrators 1 (Oct. 26, 2010), available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf (describing bullying and harassment that may trigger responsibilities under federal antidiscrimination laws).

[4] Kosciw, et al. Joseph, G. Gay, Lesbian, & Straight Educ. Network, The 2009 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, and Transgender Youth In Our Nation's Schools (2010), available at http://www.glsen.org/binary-data/GLSEN_ATTACHMENTS/file/000/001/1675-2.pdf (describing data collected from 7,261 LGBT students in middle and high school between April and August 2009).

HARASSMENT AND BULLYING IN SCHOOLS

PROPOSED FEDERAL LEGISLATION ON BULLYING AND HARASSMENT

While current federal law provides important support to promote school safety, it does not comprehensively and expressly focus on issues of bullying or harassment, and in no way does it address the unique challenges faced by Black LGBT youth. Also, federal civil rights laws do not expressly protect our students from discrimination on the basis of sexual orientation or gender identity. As a result, Black LGBT students and parents have limited legal recourse to redress this type of discrimination. The following bills have been introduced in the 112th Congress to address bullying and harassment of lesbian, gay, bisexual and transgender students:

The Anti-Bullying and Harassment Act was introduced by Rep. Danny Davis (D-IL). The bill adds bullying and harassment to the Safe and Drug-Free Schools and Communities Act and specifically includes gender identity and sexual orientation.[5]

The Bullying and Prevention and Intervention Act was introduced by Rep. Sheila Jackson-Lee (D-TX) to amend the Omnibus Crime Control and Safe Streets Act of 1968 that requires the Attorney General to establish guidelines and programs to prevent and address bullying. In the bill, "bullying" is defined to include harassment based on sexual orientation, sex, or gender.

The Student Non-Discrimination Act was introduced by Rep. Jared Polis (D-CO) and Sen. Al Franken (D-MN). The bill is modeled on Title IX and would prohibit discrimination in public schools on the basis of sexual orientation and gender identity. SNDA requires schools to address harassment against LGBT students and if they fail to comply, they may be sued or lose federal funding.

The Safe Schools Improvement Act was reintroduced in the Senate by Sens. Robert Casey (D-PA) and Mark Kirk (R-IL) and in the House by Rep. Linda Sanchez (D-CA). The bill provides funding for anti-bullying programs and would direct school districts to implement policies that specifically protect students from harassment on the basis of sexual orientation and gender identity. It also requires states to collect data on bullying and harassment in schools.

The Tyler Clementi Higher Education Anti-Harassment Act[6] introduced by Sen. Frank Lautenberg (D-NJ) and Rep. Rush Holt (D-NJ) would require colleges and universities to prohibit harassment and cyber-bullying on the basis of their actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, and religion. The bill would also require colleges to distribute their anti-harassment policy to all students and employees, including prospective students and employees upon request. Last, it establishes a grant program to initiate, expand or improve programs to prevent the harassment of students, provide counseling to victims or perpetrators; or educate or train students, faculty and staff about ways to prevent or address harassment.

[5] For additional resources, see generally National Gay and Lesbian Task Force, Issues: Youth, http://thetaskforce.org/issues/youth (last visited Sept. 9, 2011); Gay, Lesbian & Straight Education Network, Research Department, http://www.glsen.org/cgi-bin/iowa/all/ research/index.html (last visited Sept. 9, 2011); Parents, Families and Friends of Lesbian and Gays, Safe Schools: Cultivating Respect, http://community.pflag.org/page.aspx?pid=1011 (last visited Sept. 9, 2011).

[6] Tyler Clementi was an 18 year-old freshman at Rutgers University in the fall of 2010. Without Tyler's knowledge, his roommate streamed video footage on the Internet of him in his dorm room with another male. After his roommate attempted to stream another such interaction a few days later, Tyler ended his own life. See Richard Pérez-Peña, More Complex Picture Emerges in Rutgers Student's Suicide, N.Y. TIMES, Aug. 12, 2011, available at http://www.nytimes.com/2011/08/13/nyregion/ with-tyler-clementi-suicide-more-complex-picture-emerges.html?_r=1&ref=tylerclementi.

HOUSING

Adequate, affordable housing is a necessity and a basic human right. Securing housing enables individuals, couples, and families to gain access to other important opportunities, such as good jobs and good schools. Yet there is no federal law prohibiting landlords, realtors, and lenders from denying housing or offering discriminatory terms or conditions to people based on their sexual orientation or gender identity.

Thus, lesbian, gay, bisexual, and transgender (LGBT) people seeking housing may encounter a wide range of discriminatory treatment from housing services providers. Although some states and localities offer housing protection to LGBT people, federal laws prohibiting discrimination based on sexual orientation and gender identity are necessary to ensure that everyone in the United States has fair, equal access to housing.

Why We Need New Federal Housing Laws to Protect Black LGBT People from Housing Discrimination

There are over 20 states and over 80 local jurisdictions that provide protections in housing on the basis of sexual orientation and gender identity. But there is no federal statute that protects people from housing discrimination based on sexual orientation or gender identity.

- The Fair Housing Act (Title VIII of the Civil Rights Act of 1968) prohibits discrimination in housing-related transactions — including sales, rentals, and financing — based only on race, color, national origin, religion, sex, family status, and disability. It does not protect people against discrimination based on sexual orientation or gender identity.
- LGBT people face several obstacles to fair housing, including discrimination in the sale or rental of housing and mortgage lending. Fair housing access is especially difficult for members of the transgender community across all aspects of society.[7]
- Transgender individuals experience severe discrimination in employment and housing resulting in disproportionate rates of poverty and homelessness. In a national survey, more than 25% of respondents reported having to find different places to sleep for short periods of time because of bias. More than one in ten had been evicted because of bias, and nearly two in ten had become homeless because of bias.
- LGBT elders also face heightened housing insecurity. They are more likely to be forced to leave their homes because of increased financial costs resulting from anti-LGBT discrimination, and as they need to move out of their homes and into smaller residences, they are especially vulnerable.[8]
- At all ages in between, LGBT people encounter discriminatory treatment ranging from disrespectful comments, differential pricing, refusal to write loans, and denial of service to outright hostility, property damage, and even physical violence.

[7] Jaime M. Grant et al., Nat'l Ctr. for Transgender Equality, Nat'l Gay & Lesbian Task Force, Injustice at Every Turn: A Report of the National Transgender Discrimination Survey 106-23 (2011), available at http://www.thetaskforce.org/ downloads/reports/reports/ntds_full.pdf.

[8] Jaime M. Grant et al., Nat'l Gay & Lesbian Task Force Policy Inst., Outing Age: 2010 94-101 (2009), available at http://www.thetaskforce.org/downloads/reports/reports/outingage_final.pdf.

HOUSING

To Eliminate Black LGBT Homelessness

- About 3.5 million people in America are likely to experience homelessness in a given year. Of these, 39%, or 1.35 million are children. A disproportionate number of people of color, particularly African Americans, are homeless.
- A 2002 study showed that the urban homeless population is estimated to be 50% African American, 35% white, 12% Hispanic American, 2% Native American and 1% Asian American. Approximately 40% of men who are homeless are American veterans.
- The composition of the average homeless family is a single parent household headed by an African-American female. Unfortunately, these numbers appear to be on the increase.
- A disproportionate number of LGBT youth are homeless.[9] When they seek housing in shelters or are placed in foster care or state care facilities, they may experience harassment and discrimination, which helps explain why LGBT homeless youth are also more likely than other homeless youth to live on the streets.

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[9] Nicholas Ray, Nat'l Gay & Lesbian Task Force Policy Inst., Nat'l Coal. for the Homeless, Lesbian, Gay, Bisexual, and Transgender Youth: An Epidemic of Homelessness 11-16 (2006), available at http://www.thetaskforce.org/downloads/ HomelessYouth.pdf.

HOUSING

PROPOSED FEDERAL HOUSING LEGISLATION

The Fair Housing Act must be amended to prohibit discrimination on the basis of sexual orientation and gender identity. Several housing bills were introduced in the last Congress including:

The Housing Non-Discrimination Act, a bill that was introduced by CBC member Rep. Edolphus Towns (D-NY) to add sexual orientation and gender identity to the existing categories of protected classes: race, color, sex, religion, national origin, disability and familial status. The bill also addressed public accommodations to prohibit the intimidation, interference, or injury of individuals because of their sexual orientation or gender identity. It also appropriated public education funding to the Department of Housing and Urban Development (HUD).

This bill has not yet been reintroduced in the 112th Congress.

The Housing Opportunities Made Equal (HOME) Act was introduced in the last Congress by Rep. Jerry Nadler (D-NY), who was chairman of the House Judiciary Subcommittee on the Constitution, Civil Rights and Civil Liberties. The bill modernized the Fair Housing Act (FHA) in the following ways:

- **Expand protected classes**. Under the current FHA, discrimination is prohibited on the basis of race, color, religion, sex, national origin, disability, and familial status. The HOME Act would have added sexual orientation and gender identity to protect LGBT individuals, couples, and families from housing discrimination. HOME also prohibited discrimination and intimidation on the basis of marital status and source of income (for example, persons using Section 8 vouchers).
- **Amend definition of "family"**. HOME amended the FHA definition of "familial status" to include not just biological and adoptive parents and children but also "anyone standing in loco parentis" to someone who is eighteen or younger.
- **Provide important clarifications**. HOME clarified that FHA protections extend to the period after actual receipt of housing or services, and defined "a failure to affirmatively further fair housing" as a discriminatory housing practice.

The HOME Act has not yet been reintroduced in the 112th Congress.

JOBS AND WORKPLACE DISCRIMINATION

The country is struggling to recover from a down economy and in August 2011, the national unemployment rate was a dismal 9.1%. Yet even more disturbing is the longstanding and persistently higher Black unemployment rate. In the same month, the Bureau of Labor Statistics reported the White unemployment rate went down from 8.1% to its current rate of 8.0%, while the Black unemployment rate is more than double that figure —having risen from 15.9% to 16.7%.[10]

In many states, competent, talented individuals will not be hired simply because they are Black and lesbian, gay, bisexual or transgender (LGBT). Recent studies suggest they may even be fired or otherwise discriminated against. Discrimination is particularly pervasive for transgender and gender non-conforming individuals. Nearly 38% of lesbian, gay, and bisexual employees and 78% of transgender employees face harassment or mistreatment at work.[11] Such injustices violate core American values of fairness and equality by discounting qualified, hardworking Black LGBT Americans based on characteristics that are completely unrelated to the job. With so much of our government's focus on the economy and creating jobs, each job that is lost due to prejudice compounds the unemployment challenges not just for the LGBT community, but for our nation's economy as a whole.[12]

Why We Need Federal Employment Protections

- **There is no federal law that protects LGBT Americans from this pervasive and harmful injustice.** It is legal to discriminate based on sexual orientation in 29 states, and in 35 states to do so based on gender identity or expression.
- **Acquiring and maintaining full-time employment is a gateway to other benefits.** Many people access health care, housing, economic security, and continuing education through their jobs. Workplace discrimination wreaks havoc on the lives of Black LGBT people and makes it difficult for them to provide for themselves and their families.
- **Transgender individuals experience more discrimination.** Respondents to the National Transgender Discrimination Survey reported facing twice the rate of unemployment as the general population.[13] Importantly, nearly half the respondents suffered an adverse employment action—loss of a job, denial of a promotion, or not getting a job—because they were transgender or gender non-conforming.[14]
- **Major American companies have recognized the need for workplace protections.** As of March 2011, 433 (87%) of the Fortune 500 companies had implemented non-discrimination policies that include sexual orientation, and 229 (46%) had policies that include gender identity. Corporate America recognizes that discrimination is bad for business and bad for their bottom line.

[10] Press Release, Bureau of Labor Statistics, U.S. Dep't of Labor, The Employment Situation – August 2011 Table A-2 (Sept. 2, 2011), available at http://www.bls.gov/news.release/pdf/empsit.pdf.

[11] Brad Sears & Christy Mallory, The Williams Inst., Documented Evidence of Employment Discrimination & Its Effects on LGBT People 2 (2011), available at http://www3.law.ucla.edu/williamsinstitute/pdf/DiscriminationStudy-July2011.pdf.

[12] U.S. Office of the Press Sec'y, The White House, Fact Sheet: The American Jobs Act, http://www.whitehouse.gov/the-press-office/2011/09/08/fact-sheet-american-jobs-act (last visited Sept. 9, 2011).

[13] Jaime M. Grant et al., Nat'l Ctr. for Transgender Equality, Nat'l Gay & Lesbian Task Force, Injustice at Every Turn: A Report of the National Transgender Discrimination Survey 51 (2011), available at http://www.thetaskforce.org/downloads/ reports/reports/ntds_full.pdf.

[14] Id. at 53.

JOBS AND WORKPLACE DISCRIMINATION

- **Discrimination is costly.** Factoring in unemployment benefits, wasted training expenses, and lowered productivity—of both the perpetrators and their victims—discrimination against LGBT people in the workplace costs us as much as $1.4 billion per year in lost output. This amount is substantial by any measure, but given the need to restore our nation's economic well-being, it is unacceptable.[15]

- **The federal government has adopted these policies.** With more than 2 million employees, the federal government is the largest employer in the country. The Obama Administration has implemented an equal employment policy barring discrimination on the basis of sexual orientation or gender identity.

- **There is growing public support for LGBT equality in the workplace.** Nearly 90% of Americans favor equal employment rights for LGBT citizens. President Obama has expressed his readiness to sign ENDA. It is time for Congress to catch up with public opinion and give the President the opportunity to sign this bill into law.

The American Jobs Act reflects a commitment to strengthen the recovery and help increase access to jobs for all Americans. With unemployment among African-Americans at an unacceptably high rate of 16.7 percent – and 1.4 million African-Americans out of work for more than six months —the President believes that inaction is not an option. That's why the Administration is releasing a plan to increase the pace of job creation, and why the President is committed to fighting for Congress to act on this plan. These measures —which will expand opportunities for the long-term unemployed to reenter the workforce, provide incentives for businesses to hire, and make investments in revitalizing schools, infrastructure and neighborhoods— will help create new job opportunities in African-American communities and across the country.

- **The extension of unemployment insurance will benefit 1.4 million African-Americans and their families**. At the same time, the President is proposing bipartisan reforms that will enable that – as these families continue to receive UI benefits – the program is better tailored to support reemployment for the long-term unemployed.

- **Targeted support for the long-term unemployed could help the 1.4 million African-Americans who have been looking for work for more than six months.** To help them in their search for work, the President is calling for a new tax credit to employers for hiring the long-term unemployed.

- **A commitment to rebuilding and revitalizing communities across the country will target investments to the communities hardest hit by the recession.** The President's investments in infrastructure include a school construction initiative with a significant commitment to the largest urban school districts, an investment in revitalizing communities that have been devastated by foreclosures, and a new initiative to expand infrastructure employment opportunities for minorities, women, and socially and economically disadvantaged individuals.

[15] A recent report from the American Constitution society captures the impact of employment discrimination on LGBT Americans. See Maxine Fichner Am, Constitution Soc'y for Law & Policy The Employment Non-Discrimination Act, The Employment Non-Discrimination Act: Requiring Fairness for All Employees Regardless of Sexual Orientation or Gender Identity 2 (2010), available at http://www.acslaw.org/files/ENDAbrief9-2-2010.pdf (citing Deborah J. Vagins, Am. Civil Liberties Union, Working in the Shadows: Ending Employment Discrimination for LGBT Americans (2007), available at http://www.aclu.org/files/pdfs/lgbt/enda_20070917.pdf).

JOBS AND WORKPLACE DISCRIMINATION

- **Support for subsidized jobs and summer/year-round jobs for African-American youth – for whom unemployment is above 30%.** In an environment with an unemployment rate of 32.4% for African-American youth, the President proposes to build on successful programs like the TANF Emergency Contingency Fund to create jobs and provide training for those hardest hit by the recession.
- **An extension and expansion of the payroll tax cut for nearly 20 million African-American workers.** By extending the payroll tax cut for employees next year and expanding it to cut payroll taxes in half, the President's plan will help increase the paychecks of nearly 20 million African-American workers – providing them with more money to spend in their communities.[16]

The Employment Non-Discrimination Act (ENDA), which was introduced in the 112th Congress in House by Representatives Barney Frank (D-MA) and Ileana Ros-Lehtinen (R-FL) as H.R. 1397[17] and in the Senate by Senators Jeff Merkley and Mark Kirk (R-IL) as S.811.[18] This is a critical piece of legislation that would ensure that individuals across the country are protected from sexual orientation and gender identity discrimination in the workplace. Currently, 21 states and the District of Columbia have passed laws prohibiting employment discrimination based on sexual orientation, and 15 states and D.C. also prohibit discrimination based on gender identity. The current patchwork of employer, state, and local nondiscrimination policies is insufficient to protect American workers across the board. Therefore, federal legislation is necessary to explicitly proscribe discrimination in employment actions on the basis of sexual orientation, gender identity, and gender expression.[19]

- **ENDA provides basic protections for LGBT employees**. Individuals will no longer have to face being fired, harassed, passed over for a promotion, or denied a job because they are LGBT.
- **ENDA applies to the same entities covered under Title VII of the Civil Rights Act of 1964.** The provisions in ENDA apply to private employers with 15 or more employees, labor unions, employment agencies, and federal, state, and local governments. Nothing in the bill would apply to religious institutions or employers with fewer than 15 employees.
- **ENDA applies the same types of protections as Title VII.** The bill would ban discrimination in hiring, termination, compensation, promotion, and most terms and conditions of employment based on sexual orientation or gender identity.
- **ENDA protects individuals who associate with LGBT people from discrimination as well**. Often times, individuals are harassed or discriminated against on the job because they associate with their LGBT family members and friends. ENDA would make sure that these individuals are protected against discrimination in the workplace.[20]

[16] For additional resources, *see generally* U.S. Office of the Press Sec'y, The White House, *Fact Sheet: The American Jobs Act,* http://www.whitehouse.gov/the-press-office/2011/09/08/fact-sheet-american-jobs-act (last visited Sept. 9, 2011).

[17] Employment Non-Discrimination Act, H.R. 1397, 112th Cong. (2011).

[18] Employment Non-Discrimination Act, S. 811, 112th Cong. (2011).

[19] See U.S. Office of Pers. Mgmt., *Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace*, http://www.opm.gov/diversity/Transgender/Guidance.asp (last visited July 25, 2011).

[20] For additional resources, see generally National Gay and Lesbian Task Force, State Nondiscrimination Laws in the U.S., http://www.thetaskforce.org/downloads/reports/issue_maps/non_discrimination_6_11_color.pdf (last visited Sept. 9, 2011); Jaime M. Grant et al., Nat'l Ctr. for Transgender Equality, Nat'l Gay & Lesbian Task Force, Injustice at Every Turn: A Report of the National Transgender Discrimination Survey 51 (2011), available at http://www.thetaskforce.org/downloads/reports/reports/ ntds_full.pdf; Deborah J. Vagins, Am. Civil Liberties Union, Working in the Shadows: Ending Employment Discrimination for LGBT Americans (2007), available at http://www.aclu.org/files/pdfs/lgbt/ enda_20070917.pdf; Brad Sears & Christy Mallory, The Williams Inst., Documented Evidence of Employment Discrimination & Its Effects on LGBT People 2 (2011), available at http://www3.law.ucla.edu/williamsinstitute/pdf/Discrimination-Study-July2011.pdf.

JOBS AND WORKPLACE DISCRIMINATION

Update on "Don't Ask, Don't Tell" Repeal

Passed by Congress in 1993, "Don't Ask, Don't Tell" (DADT) required the discharge of openly gay, lesbian and bisexual service members. More than 14,000 service members were fired under the law since 1994, including many Black LGBT service members. Because they were discharged under DADT at higher rates than any other segment of the population some studies suggested that women and racial minorities were disproportionately affected by Don't Ask, Don't Tell. In fact, black women appeared to be especially vulnerable while this unjust law was in place.[21]

There were two significant shifts that increased the momentum to end the military ban on open service. First, there was growing military support for repeal. A recent article in *Joint Force Quarterly* concluded, "…after a careful examination, there is no scientific evidence to support the claim that unit cohesion will be negatively affected if homosexuals serve openly." Those who generally fight America's 21st century wars are service members mostly comprised of the younger generations. These soldiers largely don't care about whether someone is gay or not. In fact, they do not link job performance with sexual orientation, and in one poll, 73% of military personnel said they were comfortable around lesbians and gays (Zogby International, 2006).

A second major boost to the repeal effort was in the public's support for lifting the ban. Seventy-five percent of Americans support gays serving openly (ABC News/Washington Post, 2010). This includes majorities of Independents (77%) and Republicans (64%) who favor repeal. Notably, DADT repeal also received support from majorities of weekly churchgoers (60%) and conservatives (58%) (Gallup, 2009).

[21] SWAN reports that, although women made up 15% of the armed forces in 2008, 34% of service members discharged were women. Non-white active duty service members represent 29.4% of the total military population, but comprise 45% of all DADT discharges in 2008. Brittany L. Stalsburg, Service Women's Action Network, Lesbian, Gay, Bisexual, and Transgender (LGBT) Women in the Military: The Facts 1 (2010), available at http://servicewomen.org/wp-content/uploads/2011/07/LGBTmilitaryFactSheet.pdf.

JOBS AND WORKPLACE DISCRIMINATION

How the Repeal of "Don't Ask, Don't Tell" Became Law

- **Working group** - The Defense Department established a working group to study how to best implement repeal and in particular the impact of repeal on military readiness, military effectiveness, unit cohesion, and recruiting and retention of the Armed Forces.
- **Standalone legislation** - By a vote of **250-175**, the House of Representatives passed a stand-alone DADT bill with language that had previously been included in the National Defense Authorization Act repeal amendment. The Senate passed the House's version of the stand-alone bill by a vote of **65-31**.
- **Presidential Bill Signing** – President Obama signed DADT repeal legislation into law on December 22, 2010 but because the law would not take effect until after certification and the 60-day waiting period, service members were advised to remain closeted.
- **Certification and 60-Day Waiting Period** – On July 22, 2011, the President, Secretary of Defense and Chairman of the Joint Chiefs certified that new regulations were prepared and that repeal was consistent with the standards of military readiness, military effectiveness, unit cohesion, and recruiting and retention of the Armed Forces. Certification signaled that the American military is ready for its policy as Pentagon officials said that nearly two million service members had been trained in preparation for gay men and women serving openly in their ranks. A two-month waiting period followed certification.
- **Law takes effect** - Enactment of the repeal took place on September 20, 2011.[22]



[22] For additional resources, *see generally* Servicemembers Legal Defense Network, http://www.sldn.org. (last visited Sept. 3, 2011).

Update on the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act

After more than a decade since the brutal murders of two young men, the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA) was signed into law by President Barack Obama on October 28, 2009.

What is a Hate Crime?

A hate crime occurs when the perpetrator of a crime intentionally selects a victim because of a personal characteristic of the victim such as race, color, religion, national origin, gender, sexual orientation, gender identity or disability. Hate crimes are a tremendous detriment to the democratic fabric of our society because they target an entire community or group of people, not just the individual victim. Black LGBT communities are particularly marginalized because of multiple identities. The FBI reports that annually, race is the highest reported category of hate crimes followed next by religion and then sexual orientation. The FBI does not presently collect data on hate crimes based on gender identity.

What does the HCPA do?

The HCPA gives the Department of Justice (DOJ) the authority and power to investigate and prosecute violence motivated by bias providing the DOJ with jurisdiction over crimes of violence where a perpetrator has selected a victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability.

- It provides the DOJ with the ability to aid state and local jurisdictions with investigations and prosecutions of violent crimes motivated by bias.
- The HCPA authorizes the DOJ to provide grants to state and local communities to cover the expenses associated with the investigation and prosecution of hate crimes.
- It authorizes the provision of grants for local programs to combat hate crimes committed by juveniles, including programs that train local law enforcement officers in identifying, investigating, prosecuting and preventing hate crimes.

In May 2011, the first convictions were made under the new law for attacks against a group of Latinos in Arkansas.

HUMAN AND CIVIL RIGHTS

Now that the Hate Crimes Prevention Act is in Effect, Why Do We Still Need More Federal Hate Crime Legislation?

Many states have no laws addressing violence based on the actual or perceived race, color, national origin, religion, sexual orientation, gender, or disability, of the victim, while other states have laws that provide only limited protection. While the Hate Crimes Prevention Act expands the scope of jurisdiction for DOJ and provides training and resources to local law enforcement officials, existing Federal law is still inadequate to address this problem.

PROPOSED HUMAN AND CIVIL RIGHTS LEGISLATION

The David Ray Hate Crimes Prevention Act[23] was reintroduced in the 112th Congress of the House by Rep. Sheila Jackson Lee (D-TX) to amend the federal criminal code to impose penalties for causing or attempting to cause bodily injury to any person because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, or disability of any person, where the offense is in or affects interstate or foreign commerce.

The End Racial Profiling Act of 2010 addressed the harmful practice of law enforcement officers who single out individuals on the basis of their perceived race, ethnicity, religion, or national origin and subject them to greater scrutiny. The term "racial profiling" refers to a law enforcement agent or agency relying, to any degree, on race, ethnicity, national origin, or religion in selecting which individual to investigate or pursue, except when there is trustworthy information, relevant to the locality and timeframe, that links a person of a particular race, ethnicity, national origin, or religion to an identified criminal incident or scheme. The bill, which was introduced in the 111th Congress of the House by Reps. John Conyers, Jr. (D-MI) and Jerrold Nadler (D-NY), is expected to be reintroduced in the 112th Congress. The legislation was the result of years of extensive consultation with both the law enforcement and civil rights communities and it represents the most comprehensive federal commitment to healing the rift caused by racial profiling and restoring public confidence in the criminal justice system at-large.

Honoring the Life of David Kato and All Who Are Victims of Violence in Uganda Because of Their Sexual Orientation or Gender Identity is a House Resolution that was introduced by Rep. Luis Gutiérrez (D-IL) to honor the life of David Kato and all who are victims of violence in Uganda because of their sexual orientation or gender identity. The resolution calls on Uganda and the global community to condemn violence against the LGBT community and ensure that all citizens can live openly and freely.

[23] David Ray was a young man from Texas who was brutally murdered after being sodomized with a lead pipe by his attacker who targeted him due to his sexual orientation.

RELATIONSHIP AND FAMILY RECOGNITION

Respect for Our Relationships: Why We Need Marriage Equality in the Black Community

Same-sex couples have full marriage equality in six states and the District of Columbia. The Defense of Marriage Act of 1996 (DOMA), singles out married same-sex couples for unequal treatment under federal law, denying Black LGBT married couples over 1,100 federal benefits, rights and protections. For example, legally married Black LGBT couples cannot:

- File their taxes jointly
- Take unpaid leave to care for a sick or injured spouse
- Receive spousal, mother's and father's, or surviving spouse benefits under Social Security
- Receive equal family health and pension benefits as federal civilian employees

While marriage holds profound social, cultural, and religious meaning in the United States, it must be made clear that civil marriage and religious marriage are distinct. Civil marriage is an entirely secular institution that is regulated by state and federal governments. Religious traditions are not affected by the definition of civil marriage.

Since DOMA's passage in 1996, six states and the District of Columbia have provided equal marriage rights for same-sex couples.

- Same-sex couples may marry in Connecticut, the District of Columbia, Iowa, Massachusetts, New Hampshire, New York and Vermont.

California recognizes (the more than 18,000) same-sex marriages performed in California before the passage of Proposition 8.

- Maryland recognizes same-sex marriages celebrated in other states, but does not grant civil marriage licenses to same-sex couples.
- Same-sex marriage is banned in forty-one states.

The harmful effects of DOMA compound other obstacles to economic security that lesbian, gay, bisexual, and transgender (LGBT) couples and families face.

- LGBT people are generally poorer than the general population, and poverty rates are especially high for LGBT couples within communities of color.
- Moreover, children of gay and lesbian partners are twice as likely to be poor as are children of married same-sex couples, a pattern that is consistent across race and ethnicity. [25]

[25] Randy Albelda et al., Poverty in the Lesbian, Gay, and Bisexual Community (2009), available at http://www3.law.ucla.edu/ williamsinstitute/pdf/ LGBPovertyReport.pdf.

RELATIONSHIP AND FAMILY RECOGNITION

PROPOSED FEDERAL LEGISLATION

The Respect for Marriage Act (RMA) was introduced in the Senate of the 112th Congress by Sen. Dianne Feinstein (D-CA) and re-introduced in the House by Rep. Jerry Nadler (D-NY). On July 20, 2011, Senate Judiciary Committee Chairman Patrick Leahy (D-VT) convened a hearing on RMA. The bill repeals the Defense of Marriage Act (DOMA) and restores the rights of all lawfully married LGBT couples to receive the benefits of marriage under federal law. Under the RMA, Black LGBT couples and their families would be eligible for important federal benefits and protections such as family and medical leave or Social Security spousal and survivors' benefits.

Respect for Our Families: Why We Need Laws on Adoption and Foster Care

- Thousands of Black LGBT foster children lack a permanent and safe home. Fifty-one thousand children were adopted in 2007, while 25,000 youth "aged out" of the foster care system. Research shows that youth who "age out" of the foster care system are at a high risk for poverty, homelessness, incarceration, and early parenthood.
- As of 2007, gay, lesbian, and bisexual parents were raising 4 percent of all adopted children and fostering for 3 percent of all foster children. There is a shortage of qualified individuals willing to adopt or foster a child in the child welfare system.
- According to the Urban Institute, same-sex couples raising adopted children tend to be older, more educated, and have more economic resources than other adoptive parents. Studies confirm that children with same-sex parents have the same advantages and same expectations for health, social and psychological adjustment, and development as children whose parents are heterosexual.
- Child welfare agencies should work to eliminate sexual orientation, gender identification, and marital status discrimination and bias in adoption and foster care recruitment, selection, and placement procedures.

RELATIONSHIP AND FAMILY RECOGNITION

PROPOSED FEDERAL LEGISLATION

Every Child Deserves a Family Act *(ECDFA)* was reintroduced in the 112th Congress of the House on October 3, 2011 by Representative Fortney Stark (D-CA) to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identification, or marital status of any prospective adoptive or foster parent.

- The bill prohibits any public child welfare agency receiving federal financial assistance from discriminating against any potential foster or adoptive family on the basis of actual or perceived sexual orientation, gender identity or marital status.
- It also prevents discrimination against any foster youth because of their actual or perceived sexual orientation or gender identity.



DISCLAIMER

National Black Justice Coalition
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Some information used in this publication was contributed by or extracted from select websites of our coalition partners, including the National Gay and Lesbian Task Force, Gay, Lesbian, and Straight Education Network (GLSEN), Human Rights Campaign (HRC), National Coalition for LGBT Health, American Civil Liberties Union (ACLU), Service Women's Action Network (SWAN), Center for American Progress, Leadership Conference for Civil and Human Rights, National Center for Transgender Equality (NCTE), and Servicemembers Legal Defense Network (SLDN). Our partners reserve all rights to the information provided in this publication. Information obtained from this publication can also be found on the THOMAS Library of Congress website. NBJC would like to thank all of our supporters, sponsors, and coalition partners for their enduring support that made this publication possible. We applaud you and salute your efforts in moving this incredibly important information to the forefront of our community!

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About the National Black Justice Coalition

The National Black Justice Coalition (NBJC) is a civil rights organization dedicated to empowering Black lesbian, gay, bisexual, and transgender (LGBT) people. NBJC's mission is to eradicate racism and homophobia. As America's leading national Black LGBT civil rights organization focused on federal public policy, the National Black Justice Coalition has accepted the charge to lead Black families in strengthening the bonds and bridging the gaps between straight and LGBT people and communities.

Since 2003, NBJC has provided leadership at the intersection of mainstream civil rights groups and mainstream LGBT organizations, advocating for the unique challenges and needs of the African American LGBT community that are often relegated to the sidelines. NBJC envisions a world where all people are fully-empowered to participate safely, openly and honestly in family, faith and community, regardless of race, gender identity or sexual orientation.

The need for NBJC is stronger than ever. Without authentic, meaningful representation and active participation from the African American LGBT community, LGBT equality cannot be positioned effectively within the broader civil rights context that it deserves. This requires much more than episodic collaborations; it entails building and sustaining relationships, and, in the process, addressing the challenges between African American communities and LGBT advocates that have previously created barriers in developing full partnerships. Within the African American community itself, the need to eradicate homophobia is critical to fostering acceptance and respect for our own brothers and sisters--our own families.

Homophobia and the anti-gay oppression it engenders has severely limited the extent to which African American LGBT people live open, authentic lives. To counter this, NBJC is deepening its focus on the African American family, putting a face on the Black LGBT community, and fostering a collective effort to accord dignity and respect to all African American families as an important step in individual and community empowerment. "Building Stronger Black Families" is the theme guiding NBJC's planning and program development as we focus on removing the inequalities of policy-based initiatives that weaken families, communities, and ultimately, the country.

Polls have repeatedly shown that respondents who know an LGBT person within their family, workplace, house of worship, and/or social networks have increased support for policies that foster equal rights. Progress on LGBT social, employment, and marriage equality issues grows as LGBT people feel empowered to be out and open in their families and communities. Increasing acceptance and respect for Black LGBT people within their families, churches and communities is essential to increasing that openness within the African American community and gaining support for LGBT equality.

NBJC's ISSUE PRIORITIES & KEY INITIATIVES

- **EMPLOYMENT NON-DISCRIMINATION ACT (ENDA)**
  - ✓ *Racism, homophobia and transphobia create disproportionate job bias against LGBT people of color. Everyone should be able to work without being concerned that they will be fired for personal qualities and characteristics that they have little to no control over.*
- **MARRIAGE EQUALITY**
  - ✓ *Develop a welcoming and affirming African American support network. Gay and lesbian couples should have access to the same rights and legal protections as other married couples.*

  BULLYING IN SCHOOLS
  - ✓ *Victims of anti-gay bullying are often targeted due to their presumed gender identity and sexual orientation. Everyone should be able to attend school and gain a quality education free of any fear that they will be harassed or bullied.*
- **"DON'T ASK, DON'T TELL"**
  - ✓ *DADT has represented overt discrimination. No other law has mandated firing someone because they are lesbian, gay or bisexual. As the repeal of DADT is implemented, we must remain vigilant as the military community adapts.*
- **HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCUs)**
  - ✓ *Encourage the leadership of Historically Black Colleges and Universities (HBCUs) to create a safe, responsible and inclusive environment for LGBT students.*
- **HIV/AIDS**
  - ✓ *Increase education on HIV/AIDS in the African American community, especially amongst young people.*

National Black Justice Coalition

Injustice anywhere is a
threat to justice everywhere.
—*Martin Luther King, Jr.*

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One thing is clear to me: we, as human
beings, must be willing to accept people
who are different from ourselves.
—*Barbara Jordan*

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